

SENATE BILL 3175

By Black

AN ACT to amend Tennessee Code Annotated, Title 39;  
Title 49; Title 63 and Title 68, to enact the "Human  
Cloning Prohibition Act of 2006".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, is amended by adding the following  
language as a new chapter 58 thereto:

**§68-58-101.**

This chapter shall be known and may be cited as the "Human Cloning Prohibition  
Act of 2006".

**§68-58-102.**

No person shall knowingly perform human cloning, participate in human cloning,  
or attempt to perform human cloning.

**§68-58-103.**

As used in this chapter, unless the context otherwise requires:

(1) "Cloned human being" means a human being who is created or  
constructed using any technique other than the fertilization of an oocyte (ovum)  
of a human female by sperm of a human male.

(2) "Human being at the embryonic stage of life" means an individual  
member of the human species, specifically, an organism with a human genetic  
constitution at any stage of biological development, from the single cell stage  
through eight (8) weeks' development; and

(3) "Human cloning" means the creation of a human being at the embryonic stage of life by any means other than by the fertilization of an oocyte (ovum) of a human female by sperm of a human male.

**§68-58-104.**

Nothing in this chapter shall restrict areas of scientific research not specifically prohibited by this chapter, including:

- (1) In vitro fertilization;
- (2) The administration of fertility-enhancing drugs; and
- (3) Research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans.

**§68-58-105.**

Notwithstanding any other provision of law, tax monies of this state or any political subdivision of this state, federal monies passing through the state treasury or the treasury of any other public monies shall not be used by any person or entity, including any state-funded institution or facility, for human cloning or attempted human cloning.

**§68-58-106.**

(a) Any person who violates any provision of this chapter:

- (1) Commits a Class E felony punishable by imprisonment of not more than five (5) years;
- (2) May be fined not more than five million dollars (\$5,000,000) per violation; or
- (3) May be imprisoned and fined pursuant to subdivisions (a)(1) and (a)(2).

(b) In addition to the provisions of subsection (a), any person who derives pecuniary gain from a violation of this part shall be assessed a civil penalty or not more than an amount equal to the amount of gross gain multiplied by two (2).

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.